

[COUNSEL LISTED ON SIGNATURE PAGE]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC.; and
OTTOMOTTO LLC,

Defendants.

CASE NO. 3:17-cv-00939-WHA

**JOINT STIPULATION REGARDING
TRADE SECRETS JURY
INSTRUCTIONS AND [PROPOSED]
ORDER**

Pursuant to the Court's invitation in its October 17, 2017 Tentative Jury Instructions on Trade Secret Misappropriation (Dkt. 2010), Plaintiff Waymo LLC ("Waymo") and Defendants Uber Technologies, Inc. and Ottomotto LLC ("Defendants"), through their respective counsel of record, hereby stipulate and agree as follows:

1. To avoid jury confusion, the trade secrets jury instructions given to the jury shall be deemed to cover both federal and state law without distinction, except that if any party objects to a specific instruction based on a specific requirement of federal or state law, that objection is not waived by virtue of this stipulation; and
2. For purposes of Waymo's DTSA claim, Defendants will not dispute at trial that the alleged trade secrets, to the extent that any trade secrets are proven to exist, are related to a product or service used in or intended for use in interstate commerce.

IT IS SO STIPULATED.

DATED: January 29, 2018

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By /s/ Charles K. Verhoeven

Charles K. Verhoeven
Attorneys for Plaintiff WAYMO LLC

DATED: January 29, 2018

MORRISON & FOERSTER LLP

By /s/ Arturo J. González

Arturo J. González
Attorneys for Defendants
UBER TECHNOLOGIES, INC. and
OTTOMOTTO LLC

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2
3 DATED: _____, 2018

The Honorable William Alsup

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from any other signatory to this document.

DATED: January 29, 2018

By /s/ Charles K. Verhoeven
Charles K. Verhoeven